



Plaintiff has failed to update his address and prosecute his claims. He was repeatedly warned of his obligation to notify the Court and parties of any address change within seven (7) days of a relocation. (*See* Docs. 4 and 10). On January 23, 2020, this Court entered an Order to Show Cause why this case should not be dismissed with prejudice based on Plaintiff's failure to comply with the court orders to update his address and prosecute his claims. (*See* Doc. 39). The deadline for responding to the show cause order was February 6, 2020. (*Id.*). On February 10, 2020, the Order to Show Cause was returned undeliverable, and Plaintiff's status was listed as "paroled." (Doc. 40). At least a week has passed since Plaintiff's response deadline expired, and the Court has received no communication from him.

The Court will not allow this matter to linger indefinitely. This action shall be dismissed with prejudice based on Plaintiff's failure to comply with the Court's Orders to update his address (Docs. 4 and 10), his failure to respond to the Court's Order to Show Cause (Doc. 39), and his failure to prosecute his claim in Count 1. *See* FED. R. CIV. P. 41(b); *Lucien v. Brewer*, 9 F.3d 26, 28 (7th Cir. 1993) (stating dismissal is a "feeble sanction" if it is without prejudice; "Rule 41(b) states the general principle that failure to prosecute a case should be punished by dismissal of the case with prejudice.").

### **Disposition**

**IT IS ORDERED** that this action is **DISMISSED** with prejudice, based on Plaintiff's failure to comply with multiple Court Orders (Docs. 4, 10, and 39) and his failure to prosecute his claim(s) herein. *See* FED. R. CIV. P. 41(b); *Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994). The dismissal of this action does not count as a "strike" under 28 U.S.C. § 1915(g).

**IT IS ORDERED** that Plaintiff's obligation to pay the filing fee for this action was incurred at the time the action was filed, regardless of subsequent developments in the case. Accordingly, the filing fee of \$350.00 remains due and payable. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

The Clerk's Office is **DIRECTED** to close this case and enter judgment accordingly.

**IT IS SO ORDERED.**

**DATED: February 21, 2020**

**s/J. Phil Gilbert**  
**J. PHIL GILBERT**  
**United States District Judge**